

1 BILL NO. X-88-06-37

2
3 ANNEXATION ORDINANCE NO X-01-98

4 AN ORDINANCE repealing Annexation
5 Ordinance No. X-37-70

6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
7 FORT WAYNE, INDIANA:

8 SECTION 1. The Annexation Ordinance No. X-37-70 is
9 hereby repealed. Said Ordinance proposed to annex the following
10 territory:

11 Beginning at the point of intersection of the
12 West right-of-way line of Ardmore Avenue and
13 the North right-of-way line of Lower
14 Huntington Road; thence Northerly along said
15 West right-of-way of Ardmore Avenue as it
16 existed on September 13, 1967, to the
17 intersection of the South right-of-way line
18 of Sand Point Road; thence Westerly along
19 said Southerly right-of-way line of Sand
20 Point Road to the point where it runs North
21 and South; thence Southerly along the
22 Easterly right-of-way line of Sand Point Road
23 to the point where it runs East and West;
24 thence Westerly along the Southerly right-of-
25 way line to its intersection with the West
26 line of the East one-half, of Section 29,
27 Township 30 North, Range 12 East; thence
28 South along said West line of the East one-
29 half of Section 29, Township 30 North, Range
30 12 East, to its intersection with the North
31 right-of-way line of Lower Huntington Road;
32 thence East along said north right-of-way
line of Lower Huntington Road to its point of
intersection with the West right-of-way line
of Ardmore Avenue, said point being the point
of beginning, containing 302 ± acres, more or
less.

SECTION 2. This Ordinance shall be in full force and
effect from and after its passage, approval by the Mayor and any
required legal publication thereof.

30 Charles B. Reed
Councilmember

APPROVED AS TO LEGALITY AND FORM:

J. Timothy McAuley

Read the first time in full and on motion by B read, seconded by Jim Jantz, and duly adopted, read the second time by title and referred to the Committee on Annexation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 6-28-88

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Redd, seconded by Jim, and duly adopted, placed on its passage. PASSED LOST by the following vote:

| | AYES | NAYS | ABSTAINED | ABSENT |
|-------------|----------|------|-----------|----------|
| TOTAL VOTES | <u>7</u> | | | <u>2</u> |
| BRADBURY | | | | <u>✓</u> |
| BURNS | <u>✓</u> | | | |
| GiaQUINTA | | | | <u>✓</u> |
| HENRY | <u>✓</u> | | | |
| LONG | <u>✓</u> | | | |
| REDD | <u>✓</u> | | | |
| SCHMIDT | <u>✓</u> | | | |
| STIER | <u>✓</u> | | | |
| TALARICO | <u>✓</u> | | | |

DATED: 7-12-88

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING MAP) Ordinance ORDINANCE RESOLUTION NO. X-0188

on the 12th day of July, 1988,

Sandra E. Kennedy ATTEST

SEAL

Thomas P. Henry
PRESIDING OFFICER

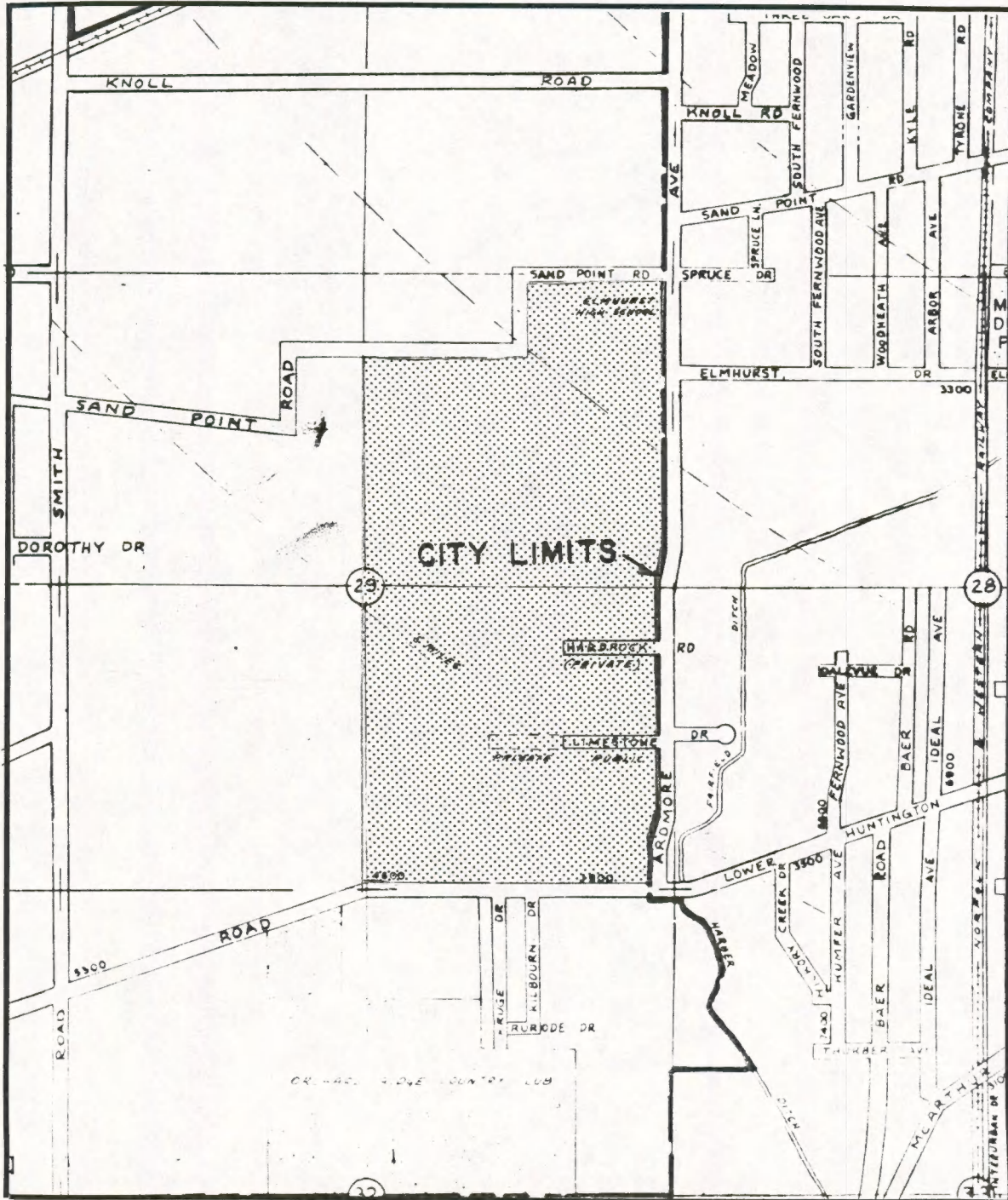
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1988 at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 22nd day of July, 1988, at the hour of 2:00 o'clock P.M., E.S.T.

P. Helmke
PAUL HELMKE, MAYOR

Figure 2
May Sand and Gravel Area



DIGEST SHEET

X-88-06-37

TITLE OF ORDINANCE Repeal of the May Sand and Gravel Annexation Ordinance (X-37-70)

DEPARTMENT REQUESTING ORDINANCE Community Development and Planning

SYNOPSIS OF ORDINANCE Repeals the May Sand and Gravel annexation ordinance

EFFECT OF PASSAGE Enables the city to drop the previous litigation and begin a new annexation of the area.

EFFECT OF NON-PASSAGE The city would have to defend the annexation litigation and could lose the case, which would result in a two year delay in future annexation attempts

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

(ASSIGN TO COMMITTEE (J.N.) Annexation

BILL NO. X-88-06-37

REPORT OF THE COMMITTEE ON ANNEXATION

WE, YOUR COMMITTEE ON ANNEXATION TO WHOM WAS

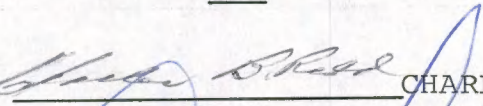
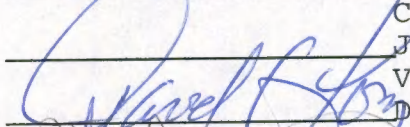
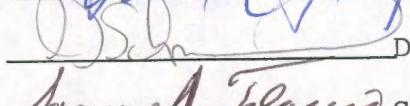
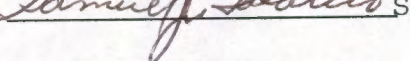
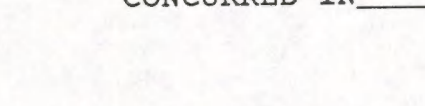
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) repealing

Annexation Ordinance No. X-37-70

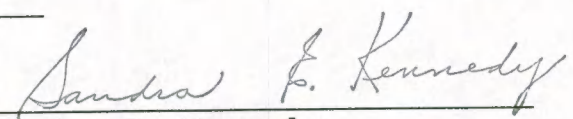
HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

YES

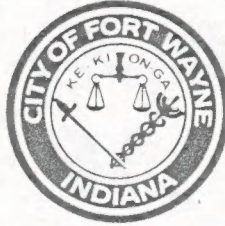
NO

| | | |
|---|--------------------|-------|
|  | CHARLES B. REDD | _____ |
| | CHAIRMAN | _____ |
|  | JANET G. BRADBURY | _____ |
| | VICE CHAIRPERSON | _____ |
|  | DAVID C. LONG | _____ |
|  | DONALD J. SCHMIDT | _____ |
|  | SAMUEL J. TALARICO | _____ |

CONCURRED IN 7-12-88


Sandra E. Kennedy
City Clerk

All America City



Most Livable City

THE CITY OF FORT WAYNE

September 16, 1988

Ms. April Minnick
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Minnick:

Please give the attached full coverage on the dates of September 20 & 27, 1988, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. X-88-06-38
Annexation Ordinance
Bill No. X-88-06-37
Annexation Ordinance

Please send us 4 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 2

LEGAL NOTICE

Notice is hereby given that on the 12th day of
July, 19 88, the Common Council of the City
of Fort Wayne, Indiana, in a Regular Session did pass
the following Bill No. X-88-06-37 Annexation
Ordinance No. X-01-88 to-wit:

BILL NO. X-88-06-37

ANNEXATION ORDINANCE NO X-01-88

AN ORDINANCE repealing Annexation
Ordinance No. X-37-70

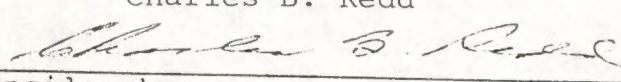
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. The Annexation Ordinance No. X-37-70 is
hereby repealed. Said Ordinance proposed to annex the following
territory:

Beginning at the point of intersection of the
West right-of-way line of Ardmore Avenue and
the North right-of-way line of Lower
Huntington Road; thence Northerly along said
West right-of-way of Ardmore Avenue as it
existed on September 13, 1967, to the
intersection of the South right-of-way line
of Sand Point Road; thence Westerly along
said Southerly right-of-way line of Sand
Point Road to the point where it runs North
and South; thence Southerly along the
Easterly right-of-way line of Sand Point Road
to the point where it runs East and West;
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way line to its intersection with the West
line of the East one-half, of Section 29,
Township 30 North, Range 12 East; thence
South along said West line of the East one-
half of Section 29, Township 30 North, Range
12 East, to its intersection with the North
right-of-way line of Lower Huntington Road;
thence East along said north right-of-way
line of Lower Huntington Road to its point of
intersection with the West right-of-way line
of Ardmore Avenue, said point being the point
of beginning, containing 302 ± acres, more or
less.

SECTION 2. This Ordinance shall be in full force and
effect from and after its passage, approval by the Mayor and any
required legal publication thereof.

Charles B. Redd


Councilmember

Read the third time in full and on motion by Redd, seconded
by Stier, and duly adopted, placed on its passage. PASSED by
the following vote:

Ft. Wayne Common Council
(Governmental Unit)

To:

The News-Sentinel

Dr.

P.O. Box 100Fort Wayne, INAllen County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

1

Body -- number of lines

78

Tail -- number of lines

2

Total number of lines in notice

81

COMPUTATION OF CHARGES

81 lines, 1 columns wide equals 81 equivalent lines
at .495 cents per line

\$ 40.10

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

2.00

TOTAL AMOUNT OF CLAIM

\$ 42.10

DATA FOR COMPUTING COST

LEGAL NOTICE

Notice is hereby given that on the 12th day of July, 1988, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-88-06-37 Annexation Ordinance No. X-01-88 to-wit:

BILL NO. X-88-06-37
ANNEXATION ORDINANCE NO. X-01-88
AN ORDINANCE repealing Annexation Ordinance No. X-37-70

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Annexation Ordinance No. X-37-70 is hereby repealed. Said Ordinance proposed to annex the following territory:

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SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and any required legal publication thereof.

Charles B. Redd
Councilmember

Read the third time in full and on motion by Redd, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Seven
Burns, Henry, Long, Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: Two
Bradbury, GiaQuinta
DATED: 7-12-88

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-01-88, on the 12th day of July, 1988.

ATTEST:
Sandra E. Kennedy
City Clerk
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1988, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 22nd day of July, 1988, at the hour of 2:00 o'clock P.M., E.S.T.

Paul Helmke
Mayor

I, the Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-01-88, passed by the Common Council on the 12th day of July, 1988, and that said Ordinance was duly signed and approved by the Mayor on the 22nd day of July, 1988, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 22nd day of July, 1988.
SANDRA E. KENNEDY, CITY CLERK

9-20-27

.5 ems

and penalties of Chapter 155, Acts 1953,

regarding account is just and correct, that the amount
or allowing all just credits, and that no part of the

19 88

Title:

Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Trudy Sterling who, being duly sworn, says that he/ she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for

two time s, the dates of publication being as follows:

9/20, 27/88

Subscribed and sworn to before me this 27th day of Sept., 19 88

Notary Public

My commission expires: Shelley R. LaRue
March 3, 1990

Ft. Wayne Common Council
(Governmental Unit)
Allen County, Indiana

To: The Journal-Gazette Dr.
P.O. Box 100
Fort Wayne, IN

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at .495 cents per line
Additional charge for notices containing rule or tabular work (50 percent of above amount)
Charge for extra proofs of publication (\$1.00 for each proof in excess of two)
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Width of single column 12.5 ems

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Charles B. Redd
Councilmember

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Burns, Henry, Long, Redd, Schmidt, Stier, Talarico
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ABSENT: Two
Bradbury, GiaQuinta
DATED: 7-12-88

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-01-88, on the 12th day of July, 1988.

ATTEST:
Sandra E. Kennedy
City Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1988, at the hour of 11:00 o'clock A.M., E.S.T.

Approved and signed by me this 22nd day of July, 1988, at the hour of 2:00 o'clock P.M., E.S.T.

Paul Helmke
Mayor
I, the Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-01-88, passed by the Common Council on the 12th day of July, 1988, and that said Ordinance was duly signed and approved by the Mayor on the 22nd day of July, 1988, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 22nd day of July, 1988.
SANDRA E. KENNEDY, CITY CLERK
9-20-27

and penalties of Chapter 155, Acts 1953,

foregoing account is just and correct, that the amount per allowing all just credits, and that no part of the

Trudy Sterling

, 19 88 Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Trudy Sterling who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time s , the dates of publication being as follows:

9/20, 27/88

Trudy Sterling

Subscribed and sworn to before me this 27th day of Sept. , 19 88

Shelley R. LaRue

Notary Public

Shelley R. LaRue

My commission expires: March 3, 1990